

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:

PREBISH, MICHAEL W.  
PREBISH, SUSAN M.

**BKY 04-30827**

Chapter 13

Debtor(s).

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**ANSWER TO CHAPTER 13 TRUSTEE'S MOTION TO DISMISS**

**TO:** Jasmine Keller, Chapter 13 Trustee; U.S. Trustee; and all other entities specified in Local Rule 9013-1.

1. The debtors admit all of the allegations contained in the trustee's motion.
2. The debtors have fallen behind on their Chapter 13 plan payments of \$200.00 per month. The debtors have had an interruption in their regular income because Michael has been laid off from his job. Susan is working and the debtors now feel that they will have no further problems meeting their monthly plan payments.
3. The debtors are \$600.00 behind including October 2004. To bring the plan current the debtors propose the following payment arrangement:

\$300.00 by October 27, 2004

Regular payment PLUS an additional \$50.00 in November 2004,  
December 2004, January 2005, February 2005, March 2005  
And April 2005

WHEREFORE, debtor(s), submit this answer to the Trustee's Motion to Dismiss and request the Motion be denied.

Dated: October 20, 2004

PRESCOTT & PEARSON, P.A.  
/s/ Richard J. Pearson

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Jack L. Prescott (#88079)  
Richard J. Pearson (#130308)  
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Telephone (651) 633-2757

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

PREBISH, MICHAEL W.  
PREBISH, SUSAN M.

BKY No. 04-30827  
Chapter 13

Debtor(s)

**UNSWORN DECLARATION  
OF SERVICE**

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Lindy Voss, an employee at Prescott & Pearson, P.A., a law firm licensed to practice law in this court, with offices at 443 Eighth Avenue Northwest, New Brighton, Minnesota 55112, declares that on October 20, 2004, she served the annexed ANSWER TO CHAPTER 113 TRUSTEE'S MOTION TO DISMISS, upon each of the entities listed below or on the attached sheet by mailing to each of them a copy thereof by enclosing same in an envelope with first class postage prepaid and depositing same in the post office at New Brighton, Minnesota, addressed to each of them as listed.

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US TRUSTEE OFFICE  
1015 US COURTHOUSE  
300 SO FOURTH ST  
MINNEAPOLIS MN 55415

CHAPTER 13 TRUSTEE  
310 PLYMOUTH BLDG  
12 SO SIXTH ST  
MINNEAPOLIS MN 55402

MICHAEL AND SUSAN PREBISH  
6719 7<sup>th</sup> ST N  
OAKDALE MN 55128

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And he declares under penalty of perjury that the foregoing is true and correct.

Dated: October 20, 2004

/s/ Lindy Voss

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Lindy Voss